



COUNCIL ON SEX OFFENDER TREATMENT
1100 WEST 49TH STREET AUSTIN, TEXAS 78756-3183
(512) 834-4530 (512) 834-4511 - FAX

Walter J. Meyer, III, MD, Chair
Galveston, Texas

COUNCIL MEMBERS

Allison Taylor
Executive Director

Liles Arnold, LPC
Richardson, Texas

Kristy M. Carr, Public Member
Austin, Texas

Judge Patricia Rae Lykos
Houston, Texas

Richard Mack, M.Div, LMFT
Lubbock, Texas

Maria Molett, MA, LPC
Garland, Texas

COUNCIL & INTERAGENCY ADVISORY COMMITTEE (IAC)

The Council on Sex Offender Treatment (CSOT) and the Interagency Advisory Committee (IAC) met at 1:00 p.m. on July 19, 2003 at 208 Barton Springs Hyatt Regency-Town Lake, Austin, Texas.

I. Call to order, Chairperson, Walter J. Meyer, III, M.D.

Dr. Meyer called the meeting to order at 1:20 p.m.

II. Introduction of Members, Guests, and Staff.

Council Member Present:

Walter J. Meyer, III Maria Molett Liles Arnold Kristy Carr
Richard Mack Patricia Rae Lykos

Interagency Advisory Committee (IAC) Present:

Glen Kercher Pat Logterman Ana Aguirre

TDH Staff Present:

Allison Taylor Lisa Worry David Richards
Jose Paiz Jim Zukowski

Public Present:

None

III. Approval of Meeting Minutes from May 9, 2003.

To be approved at next Council meeting.

IV. Council Chairperson's Report.

Dr. Meyer had no report.

V. Division Director's Report.

Jim Zukowski passed out a chart on HB 2292 consolidating 11 agencies into 4 agencies Texas Department of Health will change to Department of State Health Services. Mental Health/Mental Retardation is dissolved, Board of Health is abolished, Department of Human Services (DHS) is also abolished. This bill also mandates

to a 2 year renewal cycle to begin on January 1, 2005.

HB 2292 asked to function and reorganize the division an outline was passed around to operate in the future. The plan is to have 6 functional units Contamination Unit, Policy & Standard Unit, Board Committee & Complaint Support Unit, and 2 licensing units programs with Board of Health and Independent Board Licensing and Division Support Unit.

VI. Discussion and Possible Action regarding the Legislative session and Legislative Report from Legal Counsel.

Allison Taylor reported 3 bills in special session on Sexual Violent Predators, HB 105 by Haggerty, if a sex offender who applies for registration to provide mental health or medical services for rehabilitation, Sex Offenders, Interagency Council on Sex Offender Treatment may consider back that defendant has received community supervision under this section in issuing renewing, denying, revoking the license or registration issued.

SB 30, by Gallegos related to child safety zone, sex offenders not residing together in apartment complex, mobile homes very similar bill that was introduced by Ferrara in the first session that did not go anywhere, Ferrara eventually got engrossed with SB 1054, basically community supervision with Ferrara's bill 1054, talking about Parole they want to amend code of criminal procedure the department shall provide notice of residential address of any person required to register under this chapter to each State Senator and Representative who represent the area where the person resides, the department shall provide notice of the head of governing body to the county, school district in which the person resides the department shall provide notice, also interesting is they can not go within 1500 feet of another person the releasing knows is required to register this was introduced.

HB 155 relates to prohibit sex offenders for securing employment in or owning sexual oriented business that passed and Governor signed off.

HB 1060 relates to improper photography and visual recording without person's consent or with the intent arouse with sexual desire needs, passed and signed.

HB 871 is clean up language to adult sex offender registration same as bill 1093 which is Civil Commitment bill be engrossed into.

VII. Update on Multidisciplinary Team

Maria Molett handed out the most current statistics on Sexually Violent Predators Civilly Committed .

Maria reported on Expert Assessment has been informed of 2 individuals the MDT reviewed and voted 7-0 to refer for assessment, 7-0 is rare unanimous this person's quite dangerous. The expert came back and said those 2 do not have a behavioral abnormality and were not consider sexually violent predators and will not re-offend. Maria stated Melinda struggled with what to do about the 7-0 vote, decided not to send to Special Prosecution Unit (SPU). Maria states she was concerned the same Psychologist did both assessments and found out the same Psychologist uses students to help with assessments, so now need to go back and talk with Melinda about what the students do, need to make sure your experts are Clinical Psychologist that have forensic training and know how to do this and should not be using students.

VIII. Executive Director's Report.

Allison Taylor reported the following:

❑ NUMBER OF REGISTRANTS



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- **Pending Initial Applications 2 RSOTP** **2**
- **Total new registrants since last council meeting** **4**
3 RSOTP; 1 ASOTP
- ❑ **Complaints received since last council meeting** **0**
- ❑ **Number of complaints closed since last council meeting** **5**
 - **Two letters of advisement**
 - **Three no violations substantiated**
 - **Number of pending complaints** **1**

➤ **COUNCIL ACTIVITIES**

Civil Commitment budget was reduced to \$800,000.00 for the biennium. The Council is extremely concerned with the possibly of going over budget due to the rising costs of transportation, housing, biennial exams, etc. (See Fiscal Update)

- Council testified before the House Corrections Committee on May 20th regarding revisions to the order of commitment to effectuate an arrest of an SVP in violation. Suggestions given were amended into SB 1093, which eventually was engrossed into SB 871.
- SB 1054 (Shapleigh) was signed by the Governor on June 18th, which gives the Council the authority to develop offense specific guidelines for Community Supervision.
- Met with DPS on May 21st to discuss enhancing communication and changes to SB 1093 regarding providing GPS violation reports to the case manager.
- HB 2292 consolidated eleven agencies into four. TDH-PLC Division is undergoing reorganization due to the budget for PLC was cut \$200,000.00.
- TDH approved in June the SVP database update, which will cost \$22,000.00. This will eliminate the duplication of work for case managers and treatment providers, will allow for automation of numerous forms, and will allow the Council to gather critical information from daily entries. The project should be completed by August 31, 2003.
- Council is working on its home web site update. (See Home page insert)
- Lisa and I attended the Civil Commitment Trial of Louis Castillo on June 17th and 18th. We have scheduled to attend the Van Zandt trial Aug. 25th.
- Future meeting with Montgomery County Judges.

- Met with TAASA June 30th. CSOT accepted a Co-sponsorship of the 3rd Annual Justice Conference in October 27-28th beginning at 8:30 a.m. at the Doubletree Hotel. Council will have a booth, a link to the website, and send the membership mailing list to TAASA.
- CSOT, SPU, DPS, and TDCJ met July 1st to streamline the notification process to enhance communication upon the commitment of a SVP.
- Monthly Civil Commitment meetings with DPS, SPU, TDCJ, and CSOT continue. The Council has included DA's from across the State to participate (Harris, Travis, McLennan, and Bexar). We are currently addressing issues related to the treatment and supervision contract and the Order of Commitment.
- MOA's for spot purchasing bed space signed by Dallas, Ft. Worth, and El Paso. Houston is waiting on the award of the TDCJ contract (July 25).
- Revisions to the Civil Commitment Training Manual completed. Upon adoption we will be working on translating the manual and contract into Spanish. A procedure needs to be established to revise the manual annually.
- Code of Ethics has been created for Case Managers.
- Lack of jurisdiction over civil commitment cases on appeal continues to pose problems related to petitioning the courts to returning clients to their county of offense. Discuss most recent orders of commitment.
- Discuss contractor approval timeframe. Discuss that TDH as well as other agencies are moving away from requiring notarizations due to online applications and renewals.
- Council is scheduled to meet with Sheriff Frazier in August to discuss spot purchasing in the work release program.
- Discuss ATSA conference registration for those attending.
- The Texas District and County Attorney's Association would like the Council to submit an article on Civil Commitment for the Sept/Oct publication of the Newsletter "The Prosecutor".

CIVIL COMMITMENT UPDATE

30

• Active	11
• Deceased (Hendon)	1
• Absconders (Morales)	1
• Out on Bond (Shaw)	1
• In custody:	16

Adams-In county jail-Civil Commitment violations-possession of marijuana, exposure, and two class C misdemeanors

Browning-In county jail. Arrested 11-5-02. Indicted. No trial date is set



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Corliss-In county jail-Parole violation with pending civil commitment charges

Danner-In county jail-Parole violation-daily schedule deviation

Fisher-Rusk State Hospital

Graham-In county jail. Parole violation and pending civil commitment charges

Green-In prison-scheduled released date 9-27-03

Larkin-In prison-scheduled release date 9-16-03

Martinez-Civil commitment violations received 2 years TDC

McNeil-In county jail-civil commitment violation-illegal sexual contact and aggravated assault on P.O.

Mullens-In county jail-Parole violation-violation of halfway house rule-sexual contact with 20 year old male

Reedy-In county jail-parole violation

Sanchez-Vernon State Hospital

Walston-In prison-scheduled released date 1-29-04

Webb-In prison-scheduled release date 7-24-03

Weeks-In prison-scheduled release date 11-15-03

❖ **Active in the Program**

11

- **Almaguer-Austin**
- **Alexander-Ft Worth**
- **Beasely-Houston**
- **Castillo-Ft Worth**
- **Cortez-El Paso**
- **Keen-San Antonio**
- **Michaels-San Antonio**
- **Petersimes-Austin**
- **Reeder-Houston**
- **Richards -Houston**

❖ **Pending releases**

5

- **Webb-In prison. Release date 7-24-03**
- **Green-In prison. Release date 9-27-03**
- **Larkin-In prison. Release date 9-16-03**
- **Weeks-Release date 11-15-03**
- **Walston-Released date 1-29-04**

❖ **Pending Trials**

7

England-Was to begin 5-5-03. Plea Bargain in lieu of physical castration by May 21, 2003

VanZandt-Trial 6-2-03 ended in a hung jury. Re-trial date Aug. 25th
Willard- Trial 7-21-03 Expert did not find a behavioral abnormality
Rosales-Trial 8-11-03
Jones- Trial 10-20-03
Johnson-Trial 11-3-03
Ovalle- No trial date yet

IX. Discussion and Possible Action regarding Juvenile, Female, Special Needs Sex Offenders, and Offense Specific Guidelines

Dr. Meyer reported the group met on July 18, 2003 and began a rough draft for Juveniles and for Females this morning. Plans for future meeting for special needs sex offenders and offense specific guidelines in 60 days.

X. Discussion regarding regarding Licensing and Certification Division Reorganization

This item was discussed in conjunction with item V, Division Director's Report.

XI. Discussion regarding the Constraints of the Budget Reduction for Civil Commitment for the Next Biennium.

Allison Taylor reported the discussion with Department of Public Safety (DPS) Global Positioning Satellite (GPS) costs about 11 thousand dollars, almost a thousand dollars a month per year, in 2003, 7 SVP's active that cost us nearly 82 thousand this year if we turned that aspect over to Case Managers that would cost us per year 4 thousand dollars. DPS is checking with Legislative Liaison on the biennium savings. Allison also reported one way to look at budgetary issues we are going to be out 72 thousand at least at the end of 2005, in the red they will have to pull money from somewhere else she's not worried about cutting services to the SVP, she will make sure we will have money to run this program appropriate, we are not going to skip back on anything that is relating to public safety-I will not have that happen.

XII. Discussion and Possible Action regarding Rules related to Two Year Renewal.

This item has been referred to the Rules Committee.

XIII. Discussion and Possible Action regarding Additional CSOT Members on the MDT.

Liles Arnold nominates Allison Taylor for primary staff and Lisa Worry to alternate, Maria Molett seconds all in favor. Kristy Carr requested if all could be notified in advance of meetings and location for scheduling purposes.

XIV. Discussion and Possible Action regarding the Releasing of Offense Reports to RSOTPs.

Maria Molett reported this would be a problem, the law treatment providers are allowed to release of information, can not do instance offense polygraphs with that official document. Maria suggests a letter from CSOT to judge's in charge of supervision department and say we need their assistance on this. Liles Arnold agreed to write letter as long as everyone reviews it before sending to judge's.

XV. Discussion and Possible Action regarding Billable Services for Special Needs Clients.

Allison Taylor reported when SVP's initial evaluation of \$475.00, special needs clients having to read word by word and explain could last to about a week. Liles stated, hopefully we are hiring people that we can trust and integrity, If you see a problem trend bring it to our attention. Dr. Meyer motions, Pat Lykos seconds all in favor.



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XVI. Discussion and Possible Action regarding CSOT Policies and Procedures Manual.

Discussed with item VIII, Executive Director's report.

XVII. Discussion and Possible Action regarding local MHMR Center criteria for providing services to sex offenders.

No discussion or action on this item.

XVIII. Discussion and Possible Action regarding local MHMR Center priority population definition.

This item to be discussed at next Council meeting.

XIX. Public Comment.

None.

XX. Presentation of Future Agenda Items

At the next Rules Committee meeting, finish up Juvenile, Female and start on Special needs a meeting to be scheduled at a later date.

XXI. Discussion regarding the Future Conferences.

Maria Molett reported Adult Conference will be in March 2004, in Galveston Texas. Liles Arnold reported the next Juvenile Conference to be held in San Antonio, July 2005.

XXII. Discussion of Future Meeting Dates.

Next meeting to be scheduled on a Thursday and Friday in early November 2003.

XXIII. Adjournment.

Dr. Meyer motions to adjourn, Liles Arnold moves, Pat Lykos seconds all in favor, meeting adjourned at 4:28 p.m.

For more information, contact:

Lupe Ruedas, Administrative Assistant

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